

## MFC Selected Rule Change

### 15A NCAC 03K .0501 BAY SCALLOPS - SEASONS AND HARVEST LIMITS

(a) The Fisheries Director may, by proclamation, specify open seasons and methods for the taking of bay scallops during the following periods:

- (1) ~~During the month of December for a total of not more than four days;~~
- (2)(1) ~~Between~~ From the ~~second last~~ Monday in January ~~and through~~ the last Friday in May; and
- (3)(2) ~~Between~~ From August 1 ~~and through~~ September 15 by hand harvest methods only as described by proclamation.

(b) The Fisheries Director ~~may~~ may, by proclamation, impose any or all of the following restrictions ~~during any~~ for any commercial or recreational open ~~season specified:~~ season:

- (1) Specify number of days;
- (2) Specify areas;
- (3) Specify means and methods which may be employed in the taking;
- (4) Specify time period; and
- (5) ~~Limit~~ Specify the quantity. quantity, but shall not exceed possession of more than 20 standard U.S. bushels per person per day or a total of 40 standard U.S. bushels in any combined commercial fishing operation per day.

~~(c) For any season provided from December through May, it is unlawful to take more than 20 standard U.S. bushels per person per day or to exceed a total of 40 standard U.S. bushels per day in any combined fishing operation.~~

~~(d) For any season provided from August 1 through September 15, it is unlawful to take more than ten standard U.S. bushels per person per day or exceed a total of 20 standard U.S. bushels per day in any combined fishing operation.~~

*History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.52;  
Eff. January 1, 1991.  
Amended Eff.???????*

## 10.1.2 ENVIRONMENTAL CONCERNS

Suitable and adequate habitat are critical elements in the ecology and productivity of bay scallops. The extent to which extreme weather and water quality events impact bay scallop survival is still poorly understood. The gear issues deal with the use of bottom disturbing fishing gears that have the potential to destroy or damage SAV. Fishery restrictions already exist for most of the gears used in North Carolina that are potentially damaging to SAV.

[(Section 8.0 and Issues 9.3, 9.4, and 9.5), (Objectives 1, 2, 3, 4, and 6)]

### 10.1.2.1 ISSUE: HABITAT

Habitat protection, conservation, and restoration are essential to accomplish the goal and objectives of this plan. The MFC, CRC, and EMC should adopt rules to protect